

At an IAS Part 60 of the Supreme
Court of the State of New York,
County of New York, at the
Courthouse located at, 60 Centre
Street, New York, New York on the
16 day of December 2004.

PRESENT: B. Fried
Justice

PHILLIP NELSON BURNS, MIRJANA
PAVKOVICH, Administrator of the Estate of
Rade Pavkovich, Deceased, and WARREN
ELMER HALFPAP,

Plaintiff(s),

-against-

Index No.: 114728/04

GRUPO MEXICO S. A. de C.V., a Mexican
Corporation, SOUTHERN PERU HOLDING
CORPORATION, a Delaware Corporation,
SOUTHERN PERU HOLDING CORPORATION
II, a Delaware Corporation, GRUPO MINERO
MEXICO INTERNACIONAL, S. A. DE C.V., a
Mexican Corporation, COMPANIA MEXICANA
de COBRE, a Mexican Corporation, JP
MORGAN CHASE & COMPANY f/k/a CHASE
MANHATTAN BANK & TRUST COMPANY,
a Delaware Corporation AMERICAS MINING
CORPORATION, a Delaware Corporation,
ERNST & YOUNG LLP, ERNST & YOUNG
CORPORATE FINANCE, LLC, GERMAN
LARREA MOTA-VAELASCO, Officer and
Director of ASARCO, Inc., OSCAR GONZALES
ROCHA Officer and Director of ASARCO, Inc.,
DANIEL TELLECHEA SALIDO Officer and
Director of ASARCO, Inc.

PROPOSED ORDER

FILED
DEC 20 2004
NEW YORK
COUNTY CLERK'S OFFICE

Defendant(s)

Upon reading the Notice of Motion dated November 30, 2004, the affirmation of Gary Klein, Esq., affirmed the 1st day of December, 2004 in support of said motion, and there being no opposition thereto it is hereby

ORDERED, that Plaintiffs Motion to Appoint Special Process Server to Effect Service of Process on an Unauthorized Foreign Corporation Pursuant to the Hague Convention is **GRANTED**; and it is further

ORDERED, that APS International, Ltd. is authorized to effect service of process on the defendants, Grupo Mexico S. A. de C.V., Grupo Minero Mexico Internacional, Compania Mexicana de Cobre, German Larrea Mota-Vaelasco, Oscar Gonzales Rocha and Daniel Tellechea Salido in Mexico in accordance with the Hague Convention on the Service Abroad of Judicial and Extra-Judicial Documents in Civil or Commercial Matters, TIAS #10072 (U.S. Treaties & Other International Acts) and 20 UST 361 (U.S. Treaties & Other International agreements) and International Law.

ENTER

264800

J.S.C.

BERNARD J. FRIED

J.S.C

FEB. 27. 2007

THAT I HAVE COMPARED THIS
COPY WITH THE ORIGINAL
FILED IN THE OFFICE ON

FILED
DEC 20 1972

DEC 20 2004

NEW YORK
COUNTY CLERK'S OFFICE

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 08-09-2001 BY 60322
FACSIMILE SIGNATURE USED
IN ACCORDANCE WITH
FEDERAL RULES OF COURT, 2001

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LAW OFFICES
OF
WEITZ
&
LUXENBERG, P.C.
180 MAIDEN LANE
NEW YORK, N.Y. 10038

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF NEW YORK

PHILLIP NELON BURNS, MIRJANA PAVKOVICH,
Administrator of the Estate of Rade Pavkovich, Deceased,
and WARREN ELMER HALFPAP,

Plaintiffs,

-against-

GRUPO MEXICO S. A. de C.V., A Mexican Corporation, et al.

Defendants.

PROPOSED ORDER

WEITZ & LUXENBERG, P.C.

Attorneys for

180 Maiden Lane
New York, NY 10038
(212) 558-5500

Pursuant to 22 NYCRR 130-1.1, the undersigned, an attorney admitted to practice in the courts of New York State, certifies that, upon information and belief and reasonable inquiry, the contentions contained in the annexed document are not frivolous.

Dated: Signature.....

Print Signer's Name.....

Service of a copy of the within is hereby admitted.

Dated:

Attorney(s) for

PLEASE TAKE NOTICE

Check Applicable Box

☐ NOTICE OF ENTRY that the within is a (certified) true copy of a
entered in the office of the clerk of the within named Court on 20

☐ NOTICE OF SETTLEMENT that an Order of which the within is a true copy will be presented for settlement to the
Hon. one of the judges of the within named Court,
at
on 20 , at M.

Dated:

WEITZ & LUXENBERG, P.C.

Attorneys for

To:

180 Maiden Lane
New York, NY 10038